

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

MICHAEL SAVELY,

Plaintiff,

v.

MTV MUSIC TELEVISION, VIACOM  
d/b/a MTV NETWORKS, JOHN DOES (1-5)  
(said names being fictitious), and ABC  
CORP. (said entities being fictitious),

Defendants.

Civil Action No. 11-1021  
(SDW) (MCA)

**ORDER**

July 18, 2011

**WIGENTON**, District Judge.

Before the Court is defendant MTV Music Television, Viacom d/b/a MTV Networks, John Does, and ABC Corp.'s ("Defendants" or "MTV") motion to dismiss the complaint of plaintiff Michael Savely ("Plaintiff" or "Savely") pursuant to Federal Rule of Civil Procedure 12(b)(6) ("Motion to Dismiss").

For the reasons set forth in the Court's Opinion dated July 18, 2011, the Court GRANTS Defendants' Motion to Dismiss as to Counts I (misappropriation of likeness) and II (publication of private facts), but DENIES Defendants' Motion to Dismiss as to Count III (false light). Plaintiff is granted 30 days leave to amend the Complaint.

**SO ORDERED.**

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk  
cc: Judge Arleo  
Parties